

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID J. CATANZARO )  
Plaintiff, ) Case No. 3:22-cv-1768  
v. ) JUDGE MALACHY E. MANNION  
WALMART STORES, INC., )  
WALMART.COM, ALIEXPRESS, )  
MICHAELS STORES, INC., MSPCI, )  
WEGMAN'S FOOD MARKETS, INC., )  
AMAZON.COM, INC., CURRENT MEDIA )  
GROUP INC., USIMPRINTS, STAPLES )  
PROMOTIONAL PRODUCTS, RAKUTEN )  
AMERICAS, PRICE US WHOLESALE, )  
BONANZA.COM, INC., WHOLESALE IN )  
MOTION GROUP, INC., ANYPROMO )  
INC., DHGATE, and DOES 1 THROUGH 50 )  
Defendants. )

**PETITION OF ATTORNEY JAMES D. TUCK  
SEEKING TO PRACTICE IN THIS COURT**

I, James D. Tuck, hereby petition the United States District Court for the Middle District of Pennsylvania to admit me to practice before the Court. In support of my petition, I state as follows:

My office address is: Dentons US LLP  
200 McKinney Avenue  
Suite 1900  
Dallas, Texas 75201-1858

Office Telephone: (214) 259-1852

Texas Attorney ID: 24110454

I am admitted to practice before the following courts, and I am currently a member in good standing of all of those courts:

Court: State of Texas  
Court: United States District Court, Northern Texas

Date Admitted: 11/02/2018

Court: United States District Court, Southern Texas  
Court: United States District Court, Eastern Texas  
Court: United States District Court, Western Texas

Date Admitted: 06/22/2021  
Date Admitted: 05/10/2021  
Date Admitted: 03/30/2021

**FOR COURT USE ONLY**

GENERAL ADMISSION:

GRANTED BY THE COURT: \_\_\_\_\_ Date: \_\_\_\_\_

SPECIAL ADMISSION:

GRANTED BY THE COURT \_\_\_\_\_ Date: \_\_\_\_\_

In further support of this petition, I make the following statements:

1. I have not, on any occasion, been convicted of a crime (subsequent to my becoming an attorney), censured, suspended, disciplined, or disbarred by any court.
2. I have not, on any occasion, been held in contempt of court.
3. I do not have any disciplinary action, contempt, or other proceedings involving me pending before any court.

Pursuant to this petition, I am seeking special admission under LR 83.8.2.1. The basis for my admission under this rule is based on my familiarity with the factual background of this case and my involvement as counsel in other ongoing litigation for Michaels Stores, Inc and Michaels Stores Procurement Company, Inc., a/k/a MSPCI (collectively “Michaels”). Defendants Michaels have specifically requested that I join this case to represent their interests.

**NAME OF REPRESENTED PARTIES:** Michaels Stores, Inc. and Michaels Stores Procurement Company, Inc. a/k/a MSPCI

**CASE NUMBER:** 3:22-CV-1768

**CAPTION NUMBER:** David J. Catanzaro v. Walmart Stores, Inc., et al.

In connection with my admission, I understand that:

1. If seeking admission under Section LR 83.8.2.2, LR 83.8.2.3, or 83.8.2.4, I must submit a letter from a superior stating the agency with which I am employed and the duties performed which qualify me for admission under those sections.
2. If petitioning for admission, only in a particular case, under Rule LR 83.8.2.1, I need no sponsor's certificate. Any attorney specially admitted under LR83.8.2.1, shall, in each proceeding in which he or she appears, have associate counsel who is generally admitted under Local Rule 83.8.1 to practice in this court, whose appearance shall also be entered of record and upon whom all pleadings, motions, notices, and other papers may be served in accordance with any statute or applicable rule. The attendance of any such associate counsel upon the hearing of any motion or the taking of any testimony shall be sufficient appearance for the party or parties represented by such associate counsel. Either the specially admitted attorney or associate counsel must be fully prepared to participate in any hearings, arguments, conferences, and trials. (See LR 83.9).

If special admission is requested for a particular case, please list the name, address, telephone number and bar identification number of associate counsel to be entered of record in the case:

David F. Russey  
Dentons Cohen & Grigsby P.C.  
625 Liberty Avenue, Pittsburgh, PA 15222  
Office Phone: (412) 297-4900  
PA ID No. 84184

3. If seeking general admission under Rule LR 83.8.1, I must be a member of the bar of the Supreme Court of Pennsylvania and have a sponsor who is a member in good standing of the Bar of this Court present to move for my admission and I must submit the sponsor's certificate with my petition.

Respectfully Submitted,

/s/ James D. Tuck

Petitioner

24110454

Texas Bar Identification Number

December 21, 2022

Date

By signing this petition for admission, I acknowledge that I have read the attached Middle District of Pennsylvania Code of Professional Conduct and agree to subscribe to the standards set forth in the Code.

NAME OF PETITIONER: James D. Tuck

## **CODE OF PROFESSIONAL CONDUCT**

As a member of the Bar of the United States District Court for the Middle District of Pennsylvania, I will strive for the following professional ideal:

1. The rule of law will govern my entire conduct. I will not violate the law or place myself above the law.
2. I will treat with civility and respect the lawyers, clients, opposing parties, the court and all the officials with whom I work. Professional courtesy is compatible with vigorous advocacy and zealous representation. Even though antagonism may be expected by my client, it is not part of my duty to my client.
3. I will respect other lawyers' schedules as my own, and will seek agreement on meetings, depositions, hearings, and trial dates. A reasonable request for a scheduling accommodation should never be unreasonably refused.
4. Communications are lifelines. I will keep the lines open. Telephone calls and correspondence are a two-way channel; I will respond to them promptly.
5. I will be punctual in appointments, communications and in honoring scheduled appearances. Neglect and tardiness are demeaning to others and to the judicial system.
6. I will earnestly attempt to resolve differences through negotiation, expeditiously and without needless expense.
7. Procedural rules are necessary to judicial order and decorum. I will be mindful that pleadings, discovery processes and motions cost time and money. I will not use them heedlessly. If an adversary is entitled to something, I will provide it without unnecessary formalities.
8. I will not engage in conduct that brings disorder or disruption to the courtroom. I will advise my client and witnesses appearing in court of the proper conduct expected and required there and, to the best of my ability, prevent my client and witnesses from creating disorder or disruption.
9. Before dates for hearings or trials are set, or if that is not feasible immediately after such date has been set, I will attempt to verify the availability of necessary participants and witnesses so I can promptly notify the court of any likely problems.

I agree to subscribe to the above Code of Professional Conduct

*/s/ James D. Tuck*  
Signature

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice of Substitution of Counsel for Defendants was filed with the Court electronically on the 21<sup>st</sup> day of December, 2022. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

*/s/ James D. Tuck*

James D. Tuck

Dated: December 21, 2022